

## **DETAILED ACTION**

Receipt is acknowledged of applicants' amendment, remarks, and RCE, all filed on 19 September 2011.

The 35 USC 112 and 103 rejections of record are withdrawn in view of the amendments filed on 19 September 2011.

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### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on 19 September 2011 has been entered.

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### ***Allowable Subject Matter***

Claims 14-29 are allowed.

## **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: with the latest amendment (filed on 19 September 2011), the instant claims are limited to DOPE and P80 as the only two amphiphilic components in the claimed composition. This amendment obviates the primary reference applied in the 35 USC 103 rejection of record, Liu, because Liu requires large quantities of the cationic lipid component DC-

Chol. Additionally, Liu provides no disclosure of a composition comprising DOPE and P80 as the sole amphiphilic components. Therefore, the claimed invention is novel and unobvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HASAN AHMED whose telephone number is (571)272-4792. The examiner can normally be reached on 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert A. Wax can be reached on (571)272-0623. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. A./  
Examiner, Art Unit 1615

/Robert A. Wax/  
Supervisory Patent Examiner  
Art Unit 1615